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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT  
DISTRICT OF MASS.

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)  
IN RE PHARMACEUTICAL INDUSTRY )  
AVERAGE WHOLESALE PRICE )  
LITIGATION )

MDL NO. 1456  
Civil Action No. 01-12257-PBS

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)  
THIS DOCUMENT RELATES TO )  
ALL CLASS ACTIONS )

Hon. Patti B. Saris  
Chief Mag. Judge Marianne B. Bowler

**DEFENDANTS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS FROM  
PLAINTIFF BLUE CROSS BLUE SHIELD OF MASSACHUSETTS**

Defendants to the Amended Master Consolidated Class Action Complaint respectfully move this Court for an order compelling plaintiff Blue Cross Blue Shield of Massachusetts ("BCBSMA") to produce documents pursuant to specific requests contained in the subpoena served upon BCBSMA on December 9, 2005, and for such other and further relief as the Court deems just and appropriate. The grounds for this motion are set forth in the accompanying memorandum of law, declaration of Adeel Mangi and exhibits thereto, declaration of Eric Christofferson, and declaration of Lyndon M. Tretter.

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel hereby certify that counsel for defendants conferred with counsel for BCBSMA regarding the issues addressed in this motion, but were unable to resolve or further narrow the issues.

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(d) the undersigned counsel hereby request oral argument on the issues set forth in this motion and the accompanying memorandum of law, supporting declarations and exhibits thereto.

Dated: March 21, 2006

Respectfully submitted,

/s/ Andrew D. Schau

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Products L.P., on behalf of all defendants to  
the Amended Master Consolidated Class  
Action Complaint*